U.S. House of Representatives

COMMITTEE ON VETERANS' AFFAIRS

ONE HUNDRED NINTH CONGRESS

335 CANNON HOUSE OFFICE BUILDING

WASHINGTON, DC 20515

http://veterans.house.gov

June 7, 2006

Veterans' Affairs Committee Pursuing Answers, Solutions to Veterans' Data Loss by VA

Dear Colleague:

As a result of the serious compromise of personal data on millions of veterans by the Department of Veterans Affairs (VA), Members on both sides of the aisle have introduced thoughtful legislation intended to assist affected veterans and prevent future similar occurrences. While to date, five bills have been referred to the Committee on Veterans' Affairs, it is important to understand that there are significant information security problems government-wide.

The Committee on Veterans' Affairs has directed several briefings from VA about the data loss and on May 25, 2006, held an oversight hearing on the matter at which Secretary of Veterans Affairs Nicholson, other senior VA officials, the VA's Inspector General, the Government Accountability Office (GAO), and private sector data security experts testified on the situation and how to address it. At the hearing, the situation was described as a "meltdown of VA information management."

Despite aggressive House oversight, VA's internal controls and data security have been grossly inadequate. The GAO and VA's Office of the Inspector General have both pointed to VA's decentralized management and lack of accountability as major shortcomings. These shortcomings have led to 16 recurring, unmitigated IT vulnerabilities that have been identified over the past eight years. The Veterans' Affairs Committee and its Subcommittees have during that time held a number of hearings covering many aspects of VA's IT problems, including security.

Just last year, we introduced H.R. 4061, the Department of Veterans Affairs Information Technology Management Act of 2005, and the House passed it 408 – 0 on November 2. This legislation would be an important step in remedying fundamental security problems at VA. Unfortunately, at the urging of an entrenched VA bureaucracy, the Senate has so far declined to act on the bill. As a result, with IT management continuing to operate in a completely stovepiped and decentralized manner, accountability remains elusive.

From our military experience, we know that one of the first things a commander does is identify the key control officer. You have to know how the keys are being controlled. The VA has too many keys and too little control. A June 12, 2006, *Newsweek* article noted that, along with VA, some other large government agencies also get failing marks on information security. It concluded, "Maybe 26 million records lost will be a wake-up call." Of course, we now know the data included information on more than 2 million servicemembers.

Immediately after VA Secretary Nicholson announced the theft, on May 22, we brought him to testify before the Veterans' Affairs Committee. The Committee is moving quickly on a bipartisan basis with plans to consider legislation. On June 8, Members of the Committee will conduct a roundtable discussion with information technology experts from the private sector, including Goldman, Sachs & Company, EMC Corporation, VISA, Citigroup, and ID Analytics. We will also have with us VA's acting CIO, VA's IG, and the GAO.

As we seek to protect America's veterans, servicemembers, and their families, the Veterans' Affairs Committee will hold hearings on June 14 with the VA IG and GAO to review prior recommendations on VA cyber security and on June 22, with academic and industry experts on operational aspects of IT security and with VA's General Counsel invited to testify on legal implications. On June 28, we will hold a hearing on the role of VA's Chief Information Officer and the Department's Office of Information and Technology; and on June 29, we will hold a hearing with Secretary Nicholson invited to testify.

We ask your full support as we work to ensure that veterans are protected and that VA's information security system is worthy of the veterans and families we together serve. We will continue to keep you updated.

If you have any question or concerns please contact the Committee's Subcommittee on Oversight and Investigations Staff Director Arthur Wu at 53569/█████████████ or Democratic Staff Director, Subcommittee on Oversight and Investigations, Len Sistek, at █████████████/59756.

Sincerely,

Steve Buyer
Chairman

Lane Evans
Ranking Member